IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7568 of 2006()

CRMP.3998/2006 of ADDL.SESSIONS COURT-I,MAVELIKKARA
CRIME NO.111/06 OF KAYAMKULAM EXCISE RANGE.

.....

: PETITIONER/2ND ACCUSED:

THAHA @ KUNJUMON,
S/O.MAJEED, ALAMPALLIL THEKKATHIL,
PRAYAR NORTH MURI, PUTHUPALLY VILLAGE.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
KAYAMKULAM RANGE.

BY PUBLIC PROSECUTOR SHRI A.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.7568 OF 2006

- - - - - - - - - ---------- - - - - -

DATED THIS THE 21st DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the 2nd accused in Crime No.111/06 of Kayamkulam Excise Range for offences punishable under Sections 8(1), 8(2) and 55(b) of the Abkari Act for having been found in possession of 750 ml of arrack and 50 liters of wash on 21.11.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.,-I, Mavelikara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn